UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/718,477	11/24/2000	Henry G. Pajak	105730	3520

7590 10/22/2004	EXAMINER
Oliff & Berridge PLC	WON, MICHAEL YOUNG
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ART UNIT	PAPER NUMBER
2155	

Alexandria, VA 22320

DATE MAILED: 10/22/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

	Application No.	Applicant(s)
Office Action Summary	09/718,477	PAJAK ET AL.
	Examiner	Art Unit	
	Michael Y Won	2155	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on <u>29 July 2004</u>.

2a) ☒ This action is **FINAL**.   2b) ☐ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) <u>1-25</u> is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) <u>1-25</u> is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a) ☐ All   b) ☐ Some * c) ☐ None of:

        1. ☐ Certified copies of the priority documents have been received.

        2. ☐ Certified copies of the priority documents have been received in Application No. _____.

        3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.

4) ☒ Interview Summary (PTO-413) Paper No(s)/Mail Date. *ATTACHED* .

5) ☐ Notice of Informal Patent Application (PTO-152)

6) ☐ Other: _____.

DETAILED ACTION

1.   Claims 1, 11, and 21 have been amended. Claims 1-25 have been re-examined

and are pending with this action.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

2.   Claims 1-12 and 17-25 are rejected under 35 U.S.C. 102(b) as being anticipated

by Prithviraj et al. (US 5,987,513 A) in view of Culbert (US 5,708,816 A).

INDEPENDENT:

As per claim 1, Prithviraj teaches a method for operating a Web-based

management system of a plurality of networked devices (see title and Fig.1),

comprising: automatically collecting and analyzing networked device information from

the networked devices (see col.3, lines 4-22); and independently assembling and

displaying data related to the networked device information on a distributed network

(see col.2, lines 47-52 and col.3, lines 35-52).

Prithviraj does not explicitly teach of providing a runtime support to ensure that

the data is automatically processed per event without being interrupted. Culbert

teaches of providing a runtime support to ensure that the data is automatically

processed per event without being interrupted (see col.4, lines 35-44). It would have

been obvious to a person of ordinary skill in the art at the time the invention was made

to employ the teachings of Culbert within the system of Prithviraj by implementing

processing events without being interrupted within the method for operating a Web-

based management system because this allows critical data or high "priority" data to be

processed before other low "priority" data as taught by Culbert (see col.5, lines 33-36).

As per claim 11, Prithviraj teaches a method for efficient Web-based presentation

of data gathered from networked devices (see col.1, lines 6-9), comprising:

automatically gathering data from at least one networked device (see col.3, lines 4-22)

using server (see col.2, lines 48-52) Web-object state transitions, events and actions

(see col.3, lines 13-15) independently of user interaction (see col.3, lines 49-52).

Although Prithviraj teaches of web-object state transitions, Prithviraj does not

explicitly teach of providing a runtime support to ensure that the transitions are atomic

so that they cannot be interrupted. Culbert teaches of providing a runtime support to

ensure that the transitions are atomic so that they cannot be interrupted (see col.4, lines

35-44). It would have been obvious to a person of ordinary skill in the art at the time the

invention was made to employ the teachings of Culbert within the system of Prithviraj by

implementing ensure that the transitions are atomic so that they cannot be interrupted

within the method for operating a Web-based management system because this allows

critical data or high "priority" data to be processed before other low "priority" data as

taught by Culbert (see col.5, lines 33-36).

As per claim 21, Prithviraj teaches a data presentation system for a plurality of networked devices (see col.1, lines 6-9), comprising: at least one Web object to form a Web page, a Web object being a self-contained entity with object data, an associated presentation and a state machine lifecycle (see col.3, lines 35-48).

Although Prithviraj teaches of web-object processes, Prithviraj does not explicitly teach of providing a runtime support to ensure that the events are processed atomically so that the processing cannot be interrupted. Colbert teaches of providing a runtime support to ensure that the events are processed atomically so that the processing cannot be interrupted (see col.4, lines 35-44). It would have been obvious to a person of ordinary skill in the art at the time the invention was made to employ the teachings of Culbert within the system of Prithviraj by implementing ensure that the transitions are atomic so that they cannot be interrupted within the method for operating a Web-based management system because this allows critical data or high "priority" data to be processed before other low "priority" data as taught by Culbert (see col.5, lines 33-36).

DEPENDENT:

As per claim 2, Prithviraj further teaches wherein analyzing the networked device information includes creating metrics data (see col.3, lines 9-12) and the displayed data includes the metrics data (see col.3, lines 54-57).

As per claim 3, Prithviraj further teaches wherein the networked device information includes internal and external data from the networked devices (see col.2, line 65-col.3, line 3: "network elements" and col.3, lines 52-54).

As per claim 4, Prithviraj further teaches wherein at least one of graphical, textual, statistical, metrics and status data is generated and presented to a user on demand (see col.3, lines 43-48).

As per claim 5, Prithviraj further teaches wherein collecting and analyzing networked device information from the networked devices is automated by using a network database (see claim 1 rejection and col.3, lines 49-52).

As per claim 6, Prithviraj further teaches wherein collecting and analyzing networked device information is executed concurrently from more than one of the networked devices (implicit: see col.3, lines 50-52: "using a browser in a known way"; Web documents are infinitely reproducible).

As per claim 7, Prithviraj further teaches wherein assembling and displaying the data related to the networked device information on a distributed network comprises creating at least one Web page from at least one Web object, wherein the at least one Web object is a self-contained entity with object data, an associated presentation and a state machine lifecycle (see col.3, lines 35-48).

As per claim 8, Prithviraj further teaches wherein creating the at least one Web page uses networked device information as well as events and data from at least one other Web object (see col.3, lines 19-22).

As per claim 9, Prithviraj teaches of further comprising generalizing the form of the at least one Web object as a template so that the at least one Web page is created separately (see col.3, lines 35-40 & 45-48).

As per claim 10, Prithviraj teaches of further comprising creating at least one Web page with a web page authoring tool in combination with at least one Web object, wherein the at least one Web object is a self-contained entity with object data, an associated presentation and a state machine lifecycle (see col.3, lines 35-48).

As per claim 12, Prithviraj further teaches wherein automatically gathering data is in real-time (inherent: see col.2, lines 40-43).

As per claim 17, Prithviraj teaches of further comprising dynamically altering the appearance of a persistent Web object (see col.3, lines 40-45).

As per claim 18, Prithviraj teaches of further comprising separating the presentation of the persistent Web object from its content (see col.3, lines 18-25 and col.13, line 61 to col.14, line 4).

As per claim 19, Prithviraj teaches of further comprising placing layout and appearance instructions for the Web object in at least one template (see col.12, lines 50-55 and col.13, lines 54-59).

As per claim 20, Prithviraj teaches of further comprising dynamically altering the appearance of a Web object in response to dynamic events (see col.3, lines 40-45).

As per claim 22, Prithviraj teaches of further comprising a network database that stores networked device information from the networked devices, the network database providing the networked device information to the at least one Web object (see col.3, lines 49-66).

As per claim 23, Prithviraj further teaches wherein the Web-object further comprises at least one template (see col.3, lines 35-40 & 45-48).

As per claim 24, Prithviraj teaches of further comprising a network database that stores networked device information from the networked devices, the network database providing the networked device information to at least one template (see col.3, lines 49-66).

As per claim 25, Prithviraj teaches of further comprising a web page authoring tool that creates the Web page using at least one template (see col.13, lines 59-60).

3.   Claims 13-16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Prithviraj et al. (US 5,987,513 A) and Culbert (US 5,708,816 A), and still further in view of Mitchell et al (US 6,356,933 B2).

As per claim 13, Prithviraj and Culbert do not explicitly teach of further comprising ensuring integrity of at least one persistent Web object to enable accurate updating of data embedded in at least one Web page. Mitchell teaches of ensuring integrity of at least one persistent Web object to enable accurate updating of data embedded in at least one Web page (see col.11, lines 15-21). It would have been obvious to a person of ordinary skill in the art at the time the invention was made to employ the teachings of Mitchell within the system of Prithviraj and Culbert by implementing a means for ensuring integrity of at least one persistent Web object to enable accurate updating of data embedded in at least one Web page within the Web-based presentation method because this would eliminate corruption of information when

plurality of users "perform configuration management" (see col.4, lines 2-3)

simultaneously on the same network information element.

As per claim 14, Prithviraj teaches of further comprising manipulating a common

persistent Web object using one or more front-end Web servers (see Fig.1, #101; Fig.3,

#330; and col.2, lines 48-52) while maintaining integrity of data in the common Web

object.

As per claim 15, Prithviraj teaches of further comprising presenting simultaneous

alternative views of the common Web-object (implicit: see col.3, lines 50-52: "using a

browser in a known way"; Web documents are infinitely reproducible and settings can

be changed).

As per claim 16, Prithviraj teaches of further comprising allowing each of a

plurality of users to access the common Web object in different ways without affecting

the view of the other users (see col.2, lines 47-52 and col.3, lines 49-52).

Response to Arguments

4.   Applicant's arguments with respect to claims 1, 11, and 21 have been considered

but are moot in view of the new ground(s) of rejection. Culbert teaches of "providing a

runtime support to ensure that the data is automatically processed per event without

being interrupted" (see rejection above).

Similarly, applicant's arguments with respect to claims 13-16 have been

considered but remain rejected.

Conclusion

5.   Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

6.   Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael Y Won whose telephone number is (571) 272-3993. The examiner can normally be reached on M-Th: 6AM-3PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hosain T Alam can be reached on 703-308-6662. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the

Patent Application Information Retrieval (PAIR) system. Status information for

published applications may be obtained from either Private PAIR or Public PAIR.

Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see http://pair-direct.uspto.gov. Should

you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free).

Michael Y Won

October 18, 2004

HOSAIN ALAM
SUPERVISORY PATENT EXAMINER